

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

COLONIAL GAS COMPANY)
LOST MARGINS)

D.T.E 02-58

PETITION OF BAY STATE GAS COMPANY
FOR LIMITED PARTICIPANT STATUS

Bay State Gas Company (“Bay State”) hereby petitions the Department of Telecommunications and Energy (the “Department”) for leave to participate in the above-captioned proceeding as a limited participant, pursuant to G.L. c. 30A, § 10, and 220 C.M.R.

1.03. As a limited participant, Bay State requests that it be permitted to obtain copies of all pleadings, discovery responses, and briefs. If appropriate, Bay State would also submit briefs or comments to the Department in accordance with the procedural schedule established for this case. In support of its Petition, Bay State states the following:

1. Bay State is a Massachusetts gas company, as defined in G.L. c. 164, § 1, and is subject to the Department’s jurisdiction. The principal address of Bay State is:

Bay State Gas Company
300 Friberg Parkway
Westborough, MA 01581-5039

2. On September 16, 2002, Colonial Gas Company (“Colonial”) filed with the Department a petition for recovery of lost margins associated with its demand-side management (“DSM”) programs for the period May 2001 through April 2002.

3. Bay State also implements DSM programs and recovers associated lost revenues. Thus, any decisions made by the Department in this proceeding with respect to recovery of lost net revenues associated with DSM may impact Bay State. Accordingly, Bay State wishes to participate in this proceeding to keep itself apprised of any potential changes in Department policy or precedent, and, if appropriate, to comment on such issues.

4. Bay State's interest in this proceeding is unique and may not be adequately represented by any other party.

5. Bay State seeks to participate in this proceeding as a limited participant with the right to receive copies of all pleadings, discovery response, and briefs. If appropriate, Bay State further requests the right to submit briefs or comments for the Department's consideration. Bay State requests to be included on the service list as follows:

Joseph A. Ferro
Bay State Gas Company
300 Friberg Parkway
Westborough, MA 01581-5039

and

Maribeth Ladd
Rubin and Rudman LLP
50 Rowes Wharf
Boston, MA 02110

WHEREFORE, Bay State requests that the Department grant this Petition to Participate as a Limited Participant as set forth herein.

Respectfully submitted,

Bay State Gas Company

By its attorney,

Maribeth Ladd
Rubin and Rudman LLP
50 Rowes Wharf
Boston, MA 02110
(617) 330-7000

Dated: November 6, 2002